

Police Block Spy File Disclosure

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If you are one of the thousands of persons hoping to get a look at the information collected on you by the Detroit and State police anti-subversive (Red) squads, your chances may be dimming.

Lawyers bringing suit against police intelligence unit spying have been trying to force both police agencies to open the 50,000 dossiers to those named in them, but legal counsel for the city and state have resisted this at every turn.

Originally, Ingham County Circuit Court Judge Thomas Brown had ordered all of the state police files destroyed, but said he would entertain petitions by individuals to inspect their own personal files. The judge established an elaborate procedure for gaining access to them and left it to private groups such as the American Civil Liberties Union (ACLU) and this paper (see March *Fifth Estate*) to notify people of the actions needed to be taken.



A rogues gallery from the Detroit Police spy apparatus: (left) mod squad members at a 1970 anti-war demonstration; (center) undercover agents June Mumford and Vahan Kapagian, who infiltrated the Artists Workshop in 1966 and trapped John Sinclair on a weed bust; (right) police cameraman posing as a TV news reporter at an anti-cop rally, 1971.

Although almost 380 people filed petitions with the court requesting to see their files, attorneys for the plaintiffs feel the judge has no real intention of hearing the requests. The first batch of petitioners traveled to Lansing on April 15, but Judge Brown adjourned all of the cases without setting another hearing date.

According to Richard Soble, one of the attorneys who brought the original suit, "The petitions were just a cruel hoax that inconvenienced a large number of people." Soble said that Brown's petition ruling was a ruse to allow the destruction of the other 49,620 files claiming there was no interest in preserving them since no one had petitioned to see them.

Fortunately, Judge Brown's collusion with the Attorney General's office, which wants the files destroyed, was short-circuited by a ruling from the state Court of Appeals that prevents the state from destroying any of the material in the files.

The law suit, which asks that each individual spied upon be given the right to examine their own file, is also meeting resistance in Detroit.

Although both city and state files have been turned over to the 14 plaintiffs, Mayor Coleman Young continues to oppose any widespread disclosure of Detroit red squad files unless people are willing to agree in advance not to sue the city for damages.

Young, realizing the harassment, slander and job loss which have resulted from the activities of police spying, told the *Detroit Free Press* recently that, "There's not enough money in the National Bank of Detroit to pay the damages if they do (sue)."

Young, a victim of police spying himself during his "radical" youth, has repeatedly condemned the surveillance and said that he issued a written order ending it about eight months ago.

Attorney Soble charged that while Young makes one statement in public, city attorneys are in court saying nothing was improper about the spying and have appealed many of the key rulings in the case that are favorable to the plaintiffs.

Will Informers Be Exposed?

Also at issue is the question of informers, those low snakes masquerading as human beings who sell information on their friends to the police. According to Soble, informers are the heart of the spy apparatus—"Without them," he said, "the system doesn't work and they are fighting hard to defend the identities of their informants."

The role of secret sources is easily seen by an examination of the released files. One—that of *Fifth Estate* staffer E.B. Maple—is 450 pages long, dating back to 1961; but the only potent material is supplied by secret informants.

"When I moved, they knew to where and who my housemates were; they linked me up with Al Fatah and a stolen airline ticket ring; they listed me as a member of the American Communist Workers Movement and as a contact for the Weatherman—all bullshit, but all from some informant who must have been close to me," Maple said.

He also described reports of surveillance of his house in Western Oakland County during 1974 by a combined crew of four Detroit and state red squad agents taking 16-hour a day shifts for eight days.

"I wasn't working with the paper then," Maple said, "and I wasn't involved in politics of any kind, so I can only assume they had a tip that either illegal activity was about to take place or that a fugitive might appear at our house." Instead, the police log sheet is filled with Maple and his housemates being tailed to K-Mart, the movies, McDonalds, etc.

The lawyers in the case feel the exposure of informants is of a high priority since without the infiltration of agents, the red squads are left copying down license plate numbers in front of people's homes and identifying "known" radicals at demonstrations. Also, the informants may be willing to provide information on how they cooperated with police in violating people's privacy with such tactics as break-ins and other illegal tactics.

Most of the files released to the plaintiffs, according to Soble, revealed "no startling information." In fact, there is a noted lack of personal or sexual material such as the FBI collected at a national level on people like Martin Luther King or Marlon Brando. But Soble cautioned against assessing the files in this manner. "There is, in most cases, nothing sensational, but what emerges is the pervasiveness of the spying," he said.

According to FE staffer Maple, “It looked to me that at times the cops had a one-on-one defense against radicals—they were all over us. They detailed every aspect of my political life. It’s weird to have the police as your biographers.”

What begins to appear is the infrastructure of a police state with all institutions and individuals tied into the police apparatus. If the police wanted the identities of students involved in a peace group at Michigan State University in 1961, they simply visited the Dean of Students. If they wanted to know the activity in a building on W. Grand Blvd. in 1974, they just asked the Gas Co. If they wanted to know where some one got their money from in 1971, a quick trip to the bank accomplished it. If some one purchased a gun in 1969, the store owner was on the phone to the police. And on and on.

It is the roots of modern totalitarianism where everyone is tied into the police; where all of the institutions of daily life are in the service of the repressive mechanism of the state. Dissenters are reported on by an army of unofficial and official spies, and when they get too outspoken—simply disappear. That stage in history hasn’t arrived in the U.S. for most of us, but the formal guarantees of democracy should be understood within the context in which they appeared.

The great bourgeois revolutions of the 18th and 19th Centuries brought with them the concept of political equality manifested in voting rights and civil liberties as an attack against feudal privileges. However, the era of capitalism as an ascendant and revolutionary social force is long since past and today, worldwide, the rulers of capital see formal bourgeois democracy as simply an impediment to their rule.

Reformist struggles around “legal” or “constitutional” rights are losing propositions, even leaving aside the trend toward totalitarianism. The ruling powers in all nations eventually use any methods necessary to maintain their rule regardless of “their” law, and in all nations, major decisions are made far from the voting booths anyway.

At best, suits such as the ones against the red squads serve to inform people of the real social role of the police—the protection of the class in power—but at worst convince some that reform through the capitalist courts is possible. A battle for real democracy—communist democracy that abolishes the state and all political parties—would pit people against all of the cops, as well as the politicians who control them in both the East and West—in the U.S. and in the so-called “socialist bloc.”

To some extent, the prying eyes of police and government agencies have expanded to such a degree that not being in some file somewhere is unusual. Under the new federal Privacy Act it has been revealed that federal agencies alone keep more than 6,600 sets of files on tens of millions of Americans. Under the terms of the six-month-old law, citizens have the right to inspect their files, although some agencies are now keeping lists of people who are writing in to find out if they are on any government list.

The FBI alone now employs 175 employees just to handle Freedom of Information requests which totaled 13,875 last year. You can inquire if the FBI has records on you by writing them at FBI Headquarters.

The Government Printing Office, Washington DC 20402 has prepared a 740-page guide to the 6,600 record systems that the government maintains entitled “Protecting Your Right to Privacy.” Obviously a joke since it is the government which is invading people’s privacy, but it is available for \$5.

See related story: “Red Squad Files to be Opened” *Fifth Estate* #281, March 1977.



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